



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(MBHB 00-1323-H)

In re the Application of:
Hillman

Serial No: 10/013,036

Filed: October 30, 2001

For: Antimicrobial Polypeptide, Nucleic
Acid, and Methods of Use

Group Art Unit: 1647

Examiner: S. Gucker

Conf. No.: 8384

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the restriction requirement mailed on July 1, in the above-mentioned application. It is believed that no fee is due in connection with this filing; however, if a fee is due the Commissioner is authorized to charge our deposit account number 13-2490.

Applicant elects to prosecute Group 1, claims 1-2 and 4-25 without traverse. Applicant elects the species of SEQ ID NO:7 without traverse.

Additionally, Applicant elects the species of (m) Mycobacterium and (x) Enterobacter, with traverse. Applicants assert that the inclusion of all claimed bacterial species in a search will not result in an undue burden on the office. Accordingly, Applicants request that the Gram positive and Gram negative bacterial species be re-joined.

Dated: 9-1-04

Respectfully submitted,

Lisa M. W. Hillman

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